

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 13
RICKEY O. BRATHWAITE	:	
Debtor	:	
	:	
JACK N. ZAHAROPOULOS	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
RICKEY O. BRATHWAITE	:	CASE NO. 5-24-bk-02876
Respondent	:	

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 17th day of December 2024, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced Debtor(s)' Plan for the following reason(s):

1. Debtor(s)' Plan violates 11 U.S.C. § 1325(a)(4) in that the value of property to be distributed under the Plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, the Debtor has excess non-exempt equity in the following:

- a. Injury or other claim (personal injury claim listed on Schedule B)
2. The Trustee avers that Debtor(s)' Plan is not feasible based upon the following:
- a. The Debtor is unable to make payments under the Plan, contrary to §1325(a)(6). Debtor's anticipated Social Security Disability payments have not started yet.
3. Trustee avers that Debtor(s)' Plan cannot be administered due to the lack of the following:
- a. The Trustee requests proof of the Social Security Disability payments which are to begin in May 2025.

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WHEREFORE, Trustee alleges and avers that Debtor(s) Plan cannot be confirmed, and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of Debtor(s) Plan.
- b. Dismiss or convert Debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 17th day of December 2024, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

VINCENT RUBINO, ESQUIRE
712 MONROE STREET
P.O. BOX 511
STROUDSBURG, PA 18360-0511

/s/Tammy Life
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee